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TAGS: [PGOV](#) [PREL](#) [SP](#) [CU](#) [EUN](#)  
SUBJECT: SPANISH EU INITIATIVE COULD REQUIRE MORE FROM CUBA  
ON HUMAN RIGHTS

REF: A. MADRID 1121  
[1](#)B. MADRID 983

Classified By: Acting DCM William H. Duncan for reasons 1.4(b) and (d).

[1](#)1. (SBU) Foreign Minister Moratinos continues to press publicly for a new mechanism to replace the European Union's 1996 Common Position toward Cuba, indicating a willingness to spearhead such an effort during Spain's EU presidency in the first half of 2010. Most recently, following the fourth EU-Cuba political dialogue held in Brussels November 28, Moratinos expressed the Spanish hope for "a bilateral cooperation framework" with Cuba. Moratinos participated in the meeting between Cuban Minister of Foreign Affairs Bruno Rodriguez and the EU Troika, as did European Commissioner for Development and Humanitarian Assistance Karel de Gucht and Swedish Secretary of State for Foreign Affairs Frank Belfrage. Moratinos told the media, "Now we have the Common Position, but it is a European unilateral position, and . . . it does not meet (Cuba's) objectives. I think it may be time to make a bilateral commitment, so it is not just a unilateral reference." He held that such an agreement would force Havana to approach "more sensitive issues," including basic human and civil rights.

[1](#)2. (SBU) Spain seeks political and economic engagement with Cuba and plays a leadership role in the EU's political and human rights dialogue with Cuba. Spanish officials allude to Spain's hopes for even greater EU-Cuba engagement during the Spanish presidency, and FM Moratinos has spoken increasingly of the possibility of replacing the Common Position. Spain is expected to encourage the EU27 to start negotiating an alternative cooperation agreement with Cuba, to include a "democratic clause" and requirements with regard to Human Rights and Rule of Law, as a precursor to eliminating the Common Position.

[1](#)3. (SBU) During his October 17-19 visit to Havana, Moratinos argued that a different kind of agreement would provide greater human rights guarantees. Following a three-hour meeting with Raul Castro on October 18, Moratinos told the press that Spanish-Cuban bilateral relations were "normalized" and that as of one Spain's priorities during its EU Presidency, Madrid would seek the elimination of the EU's Common Position and its replacement with a mechanism that seeks to condition the normalization of relations between Member States and Cuba on the latter's democratization efforts and respect for human rights, in particular civil and political rights. Speaking in Brussels on November 28, Moratinos reiterated that a bilateral deal initiated by Spain would require commitments from the Cuban government

14. (C) FM Moratinos has been criticized for what some perceive to be caving to GOC pressure or, at best, carrying Cuban water within the EU. Since his October 17-19 visit to Havana, Moratinos has defended his remarks publicly and MFA officials admit they have answered hundreds of related congressional as well as diplomatic and media inquiries. In October, Germany, the Czech Republic, and Lithuania asked Moratinos to further explain his public remarks calling for the EU to eliminate OubQonsensus-based approach in reaching an accord to replace the Common Position. The same GOS sources told the media that if the Lisbon Treaty were implemented, any revision of the EU Common Position would not need to be determined by unanimous vote.

15. (C) MFA Director General for IberoAmerican Affairs Juan Carlos Sanchez Alonso told POLOFF October 29 that Moratinos had never said Spain would eliminate, and Spain alone could not do away with, the Common Position. Rather Spain sought to initiate an EU process to find a new way to relate to Cuba. He admitted the GOS had initiated an internal legal inquiry into the need (post-Lisbon) for unanimity to eliminate the Common Position, but had stopped short of a conclusion. While Spain could, by virtue of its expertise and competence, act without the EU on Cuba policy, Sanchez Alonso suggested a Spanish political decision had been reached following Moratinos's trip and "trial balloon" (perhaps in the face of pushback from other Europeans) to work instead to convince the remaining 26 members of the wisdom of a new country strategy paper stricter than the

existing Common Position. No one wanted a united front vis a vis Cuba more than Spain. With a democratic clause, everything would at last be on the table. Sanchez Alonso cited U.S. acquiescence to the elimination of the OAS resolution barring Cuba from membership, asking why, if the United States could allow the OAS prohibition to fall, the GOS could not seek EU exploration of a possible alternative? He implied that Moratinos's statements had been a way to sound out European support and intimated Spain would not likely complicate its EU presidency with such an effort if it was not perceived to be well viewed. (NOTE: Conservative Spanish media pointed out November 19 that the agreed-upon multi-party agenda for Spain's EU presidency did not include Cuba, after the conservative opposition Partido Popular and ruling Socialist Party were unable to agree on language. END NOTE.)

16. (SBU) During an October 28 meeting with Foreign Minister Moratinos, European Parliament Commission for Foreign Affairs President Gabriele Albertini reportedly said it was "understandable" for Spain to maintain special relations with Cuba and Latin America due to historical and cultural reasons but warned that improved relations between the European Parliament and Havana depended on "steps toward democracy." Albertini said that democratic development in Cuba "leaves much to be desired" and noted that Moratinos "negotiates in his role of Minister of a Member State, not of the European Union."

17. (SBU) FM Moratinos nonetheless testified in the Senate on November 17 that not a single EU country had spoken against his intention to replace the Common Position on Cuba during Spain's EU Presidency. According to Moratinos, some other European countries might try to make adjustments, but the Spanish proposal -- to negotiate a bilateral EU-Cuba agreement that would lead to greater Cuban compliance with human rights and engagement on reform activities -- was not encountering any opposition.

18. (SBU) Cuban FM Rodriguez on November 28 voiced his agreement with the Spanish Foreign Minister's assessment of the positive trend in European-Cuban relations and offered his own assessment that a majority of EU member states favored "standardizing relations." Rodriguez called the EU's Common Position an "insuperable obstacle" that should be discarded as soon as possible.  
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